

Remarks

Reconsideration of this Application is respectfully requested.

Upon entry of the foregoing amendment, claims 1-26 and 28-32 are pending in the application, with claims 1, 7, 12, 15, 17, 18, 19, 20, 23, 24, 25, 28, 31, and 32 being the independent claims. Claims 15 and 19 are sought to be amended. Support for these amendments can be found, for example, in paragraph [0117] and [0142]. These changes are believed to introduce no new matter, and their entry is respectfully requested.

Based on the above amendment and the following remarks, Applicants respectfully request that the Examiner reconsider all outstanding objections and rejections and that they be withdrawn.

Allowable Subject Matter

Applicants acknowledge with appreciation the Examiner's indication that claims 1-14, 17, 18, 20, 23-26 and 28-32 are allowed.

Rejections under 35 U.S.C. § 103

In the Office Action, claims 15, 16, 19, 21, and 22 were rejected under 35 U.S.C. §103(a) as being unpatentable over Jennings, et al, U.S. Publication 2004/0025186 (Jennings) in view of Smith, et al, U.S. Publication 2002/0133247 (Smith). Applicants respectfully traverse this rejection.

The combination of Jennings and Smith does not teach or suggest all of the elements of Applicants' amended independent claims 15 and 19. In rejecting the claims, the Examiner states that although Jennings "does not disclose that the network interface controller controls transmission of the packets on the egress channel over the network,"

Smith "discloses a noiseless or seamless switching of media streams." (Office Action, pp. 2-3).

Smith describes a media player environment in a media client 110 enabling a media player to "switch between the first media stream and the second media stream without interruption." (Smith, para. [0012]). In one aspect, the media player environment includes a media stream buffer "that buffers one or both of the media streams." (Smith, para. [0012]). In another aspect, the "second media player begins receiving the second media stream while the first media player plays the first media stream." (Smith, para. [0013]). For example, a media stream buffer "decouples the portion of the media stream being played from the portion of the media stream being received so that media player 204 can continue to play one media stream while receiving the second stream during the time delay associated with the switch." (Smith, para. [0042]). Smith does not teach or describe a mechanism for maintaining timing information.

Thus, the combination of Jennings and Smith does not teach or suggest "said second internal audio source generates a second internal audio stream of egress packets, wherein each egress packet includes a payload carrying audio and control header information, said packet switch switches said first audio stream of egress packets and said second audio stream of egress packets for delivery to said network interface controller ... and said network interface controller keeps header information of IP/RTP packets associated with said egress packets in sequence," as recited in amended independent claims 15 and 19.

Applicants therefore respectfully submit that the combination of Jennings and Smith fails to teach or suggest all the features of amended independent claims 15 and 19.

For at least these reasons, and further in view of their own features, claims 16, 21, and 22 which depend from claim 15 are patentable over Jennings and Smith, either alone or in combination. Reconsideration and withdrawal of the ground of rejection is therefore respectfully requested.

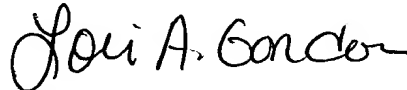
Conclusion

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicants believe that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment and Reply is respectfully requested.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Lori A. Gordon
Attorney for Applicants
Registration No. 50,633

Date: October 12, 2005

1100 New York Avenue, N.W.
Washington, D.C. 20005-3934
(202) 371-2600

424502v1